

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JANICE SHORTER, PERSONAL	:	
REPRESENTATIVE AND LEGAL	:	NO. 3:16-CV-01973
GUARDIAN FOR DONSHAY SAYLES,	:	
	:	
Plaintiff,	:	
	:	(Judge Mannion)
v.	:	(Magistrate Judge Arbuckle)
	:	
CHARLES E. SAMUELS, JR., ET AL.	:	Electronically Filed
	:	
Defendants.	:	

MOTION FOR EXTENSION OF TIME
TO OPPOSE PLAINTIFF’S MOTION FOR SUBSTITUTION
OF DEFENDANT WILLIAM FULLER

The Estate of William Fuller (“Estate”), by and through its attorneys, United States Attorney John C. Gurganus and Assistant United States Attorneys Richard D. Euliss and Harlan W. Glasser, moves for a two-week extension of time in which to file its opposition to Plaintiff’s Motion for Substitution of Defendant William Fuller, Deceased. In support of that request, the Estate represents as follows:

1. On October 21, 2021, the undersigned filed a Statement of Death to inform the Court and Plaintiff that Defendant William Fuller had passed away in June 2021. *See* Dkt. No. 156.

2. On January 13, 2022, Plaintiff filed a motion requesting that the Estate of William Fuller be substituted for the deceased defendant. *See* Dkt. No. 165. Undersigned counsel did not concur in that relief.¹

3. Shortly thereafter, the Court ordered the government to file a brief in opposition to the motion by January 28, 2022. *See* Dkt. No. 166.

4. After further consideration, it was determined that the United States Attorney's Office should secure approval from the Department of Justice to represent the Estate and to file the brief in opposition on behalf of the Estate. This approval process consumed much of the two-week period to prepare the opposing brief.

5. Accordingly, the undersigned, as counsel for the Estate of William Fuller, seeks an additional two weeks to prepare and file its opposing brief.

6. Pursuant to Local Rule 7.5, a brief in support of this motion is not required.

¹ Undersigned counsel, in his capacity as counsel for the United States, indicated to Plaintiff's counsel that he would oppose the motion to substitute. Undersigned made clear that, at the time, neither he nor anyone else at the U.S. Attorney's Office represented the Estate. Since then, the Department of Justice has authorized the U.S. Attorney's Office to represent the Estate. Consequently, the undersigned files this motion in his capacity as counsel for the Estate. Because the Estate is not – and should not become – a formal party to this case, the U.S. Attorney's Office electronically filed this motion on behalf of William Fuller.

7. Pursuant to Local Rule 7.1, the undersigned certifies that counsel for Plaintiff does not oppose the extension of time.

Respectfully submitted,

JOHN C. GURGANUS
United States Attorney

s/ Richard D. Euliss
Richard D. Euliss (DC 999166)
Harlan W. Glasser (PA 312148)
Assistant United States Attorneys
228 Walnut Street, Suite 220
Harrisburg, PA 17108-1754
Tel: (717) 221-4482
Richard.D.Euliss@usdoj.gov

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